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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,592	09/26/2001	Gaurang K. Shah	062891.0550	3496
5073	7590	09/21/2006	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			OSMAN, RAMY M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/965,592	<b>Applicant(s)</b> SHAH ET AL.	
	<b>Examiner</b> Ramy M. Osman	<b>Art Unit</b> 2157	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,8,12-17,19 and 20 is/are rejected.
- 7) ☒ Claim(s) 3-6,9-11 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Status of Claims*

1. This action is responsive to the pre-appeal brief review request filed on March 24, 2006.

Prosecution has been re-opened. Claims 1-20 are pending.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1,2,7,8,12-17,19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Masters (U.S. Patent No. 6,374,300).**

4. In reference to claims 1,13 and 17, Masters teaches a method and apparatus for re-directing a client session, comprising:

receiving a request from a client terminal at a load balancer (column 10 lines 30-33);

selecting one of a plurality of gateways being managed by the load balancer to process the request (column 10 lines 31-35);

sending a re-direct message to the client terminal from the load balancer, the re-direct message including information identifying the selected gateway (column 10 lines 40-50).

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5. In reference to claim 2, Masters teaches the method of Claim 1 wherein the information identifying the selected gateway may include a private port number associated with the selected gateway (column 7 lines 10-15).

6. In reference to claim 7, Masters teaches the method of Claim 1, further comprising: maintaining an association between the client terminal and the selected gateway at the load balancer (column 9 lines 1-45).

7. In reference to claim 8, Masters teaches the method of Claim 1, wherein the information identifying the selected gateway includes an Internet Protocol address of the selected gateway (column 7 lines 10-15).

8. In reference to claim 12, Masters teaches the method of Claim 1, further comprising: maintaining an association between the client terminal and the selected gateway (column 9 lines 1-45).

9. In reference to claim 14, Masters teaches the apparatus of Claim 13 wherein the information identifying the selected gateway may include a private port number associated with the selected gateway (column 7 lines 10-15).

10. In reference to claim 15, Masters teaches the method of Claim 13, wherein the information associated with the selected gateway is an Internet Protocol address of the selected gateway (column 7 lines 10-15).

11. In reference to claim 16, Masters teaches the apparatus of Claim 13, further comprising: means for maintaining an association between the client terminal and the selected gateway (column 9 lines 1-45).

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12. In reference to claim 19, Masters teaches the apparatus of Claim 17, wherein the load balancer maintains an association between the client terminal and the selected gateway (column 9 lines 1-45).

13. In reference to claim 20, Masters teaches the apparatus of Claim 17, wherein the information identifying the selected gateway includes one of a private port number associated with the selected gateway and an Internet Protocol address of the selected gateway (column 7 lines 10-15).

#### ***Allowable Subject Matter***

14. Claims 3-6,9-11 and 18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. The following is a statement of reasons for the indication of allowable subject matter: The following inventive concept is not taught by the prior art of record, and is therefore found to be novel: receiving at the load balancer from the client terminal a subsequent request associated with the re-direct message, the subsequent request including the private port number associated with the selected gateway; and translating at the load balancer the private port number associated with the selected gateway to a defined port number of the selected gateway.

#### ***Conclusion***

16. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the

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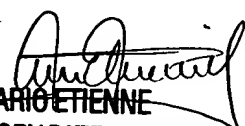
entirety of the reference (including any figures, incorporation by references, and claims) is implied as being applied to teach the scope of the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO  
September 18, 2006

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
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